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September 8, 2005

**VIA ELECTRONIC FILING**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room TWB-204  
Washington, DC 20554

**Re: Draft Eligible Services List for Schools and Libraries Universal Service  
Support Mechanism; CC Docket No. 02-6  
Notice of Ex Parte Communication**

Dear Ms. Dortch:

On September 8, 2005, the undersigned counsel for Notification Technologies, Inc. ("NTI") spoke via telephone with Cara E. Voth of the Telecommunications Access Policy Division, Wireless Competition Bureau, regarding the above-referenced proceeding. More specifically, we discussed the importance to NTI of a clear determination and explanation by the Commission with respect to NTI's request for the inclusion of one-to-many telephone message distribution services on the eligible services list. We discussed the need for guidance with respect to the reasons for the Commission's decision (e.g., lack of statutory authority, lack of current regulatory authority, other) should the agency decline to take the action requested by NTI. Such guidance not only will assist NTI (and others) in fashioning future requests and in determining what statutory or regulatory action, if any, is needed, but also is required as a matter of fundamental due process.

In accordance with section 1.1206 of the Commission's rules, an electronic copy of this notice is being submitted for inclusion in the record of this proceeding.

Respectfully submitted,



Seth A. Davidson  
Counsel for Notification Technologies, Inc.

cc: Cara E. Voth